



REPUBLIC OF KENYA



**Kiplangat v Republic (Revision Case E653 of 2022)  
[2023] KEHC 3415 (KLR) (27 April 2023) (Ruling)**

Neutral citation: [2023] KEHC 3415 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAKURU  
REVISION CASE E653 OF 2022  
HM NYAGA, J  
APRIL 27, 2023**

**BETWEEN**

**GEOFFREY KIPLANGAT ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The applicant, Geoffrey Kiplangat was convicted on his own plea of guilty for the offence of Burglary contrary to section 304(2) of the *Penal Code*.
2. On July 6, 2022 he was sentenced to serve 18 months' imprisonment.
3. The Order before this court is for revision.
4. I note that the trial court did not seek for a social inquiry report before sentencing him. However, the sentence is lawful.
5. He is a first time offender and he has spent a considerable period in prison. If the sentence imposed was meant to teach him a lesson, I think that the time spent in custody so far is sufficient for that purpose.
6. I hereby exercise judicial discretion and with a view of decongesting the Prison, review the sentence and order a suspended sentence for the remainder of the prison term. I therefor order for the release of the convict Geoffrey Kiplangat from prison forthwith unless otherwise lawfully held.
7. File Closed.

**DATED, SIGNED & DELIVERED AT NAKURU THIS 27<sup>TH</sup> APRIL, 2023.**

**H.M. NYAGA**

**JUDGE**



In the presence of:

C/A Jeniffer

Murunga for state

Applicant present

